

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

Carrie M. Leo,
Plaintiff,

- v -

New York State Department of Environmental Conservation & the United States Department of Agriculture and the following INDIVIDUALS, in their individual and official capacities: BASIL SEGGOS - Commissioner, WILLIAM POWELL - Lieutenant/ Captain and KEVIN THOMAS - Officer, DEC Division of Law Enforcement; JOSEPH THERRIEN - Director, DEC Special Licenses Unit, The United States Department of Agriculture("USDA"), United States Department of Agriculture's Animal & Plant Inspection Service ("APHIS"), ANDREA D'AMBROSIO - USDA Animal Care Inspector, and John/Jane Does #2-15,

Defendants.

Civil Action No. 6:2020-cv-07039-FPG

**NOTICE OF MOTION FOR EXTENSION OF TIME TO
SUBMIT SUPPORTING AFFIDAVIT**


PLEASE TAKE NOTICE, that the Plaintiff herein, Carrie M. Leo, a self-represented litigant in the above-entitled matter, will move this Court for an order pursuant to Fed. R. Civ. P. Rule 6 allowing Plaintiff an extension of time to November 29, 2021, or to an appropriate date thereafter, to file a supporting affidavit for her *First Amended Complaint*, and for such other relief as the Court may deem proper. The basis for this motion is set forth in the concurrently filed motion papers accompanying this Notice.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 7(a)(1), the Plaintiff intends to file and serve reply papers.

PLEASE TAKE FURTHER NOTICE that this motion shall be heard by the Honorable Frank P. Geraci, Jr., United States District Court Judge of the Western District of New York, 100 State Street, Rochester, New York 14614, at a date and time to be set by the Court.

Date: November 22, 2021
Walworth, New York

BY:


Carrie M. Leo

Plaintiff pro se
3199 Walworth Road
Walworth, NY 14568
(315) 538-8316
carrieleo15@gmail.com

cc: JAMES P. KENNEDY, JR.
United States Attorney
KATHRYN L. SMITH
Assistant United States Attorney
Western District of New York
100 State Street, 5th Floor
Rochester, New York 14614
(585) 263-6760
Kathryn.L.Smith@usdoj.gov

LETICIA A. JAMES
New York State Attorney General's Office
MICHELE ROMANCE-CRAIN
Assistant Attorney General
144 Exchange Blvd.
Rochester, New York 14614
(696) 327-3223
Michele.Crain@ag.ny.gov

**IN THE UNITED STATES DISTRICT COURT
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New York State Department of Environmental Conservation & the United States Department of Agriculture and the following INDIVIDUALS, in their individual and official capacities: BASIL SEGGOS - Commissioner, WILLIAM POWELL - Lieutenant/ Captain and KEVIN THOMAS - Officer, DEC Division of Law Enforcement; JOSEPH THERRIEN - Director, DEC Special Licenses Unit, The United States Department of Agriculture("USDA"), United States Department of Agriculture's Animal & Plant Inspection Service ("APHIS"), ANDREA D'AMBROSIO - USDA Animal Care Inspector, and John/Jane Does #2-15,

Defendants.

Civil Action No. 6:2020-cv-07039-FPG

STATE OF NEW YORK
WAYNE COUNTY

} ss:

MOTION FOR EXTENSION OF TIME TO SUBMIT SUPPORTING AFFIDAVIT

CARRIE M. LEO, plaintiff pro se, hereby affirms under the penalties of perjury that the following statements are true and accurate to the best of my knowledge and understanding.

1. Plaintiff respectfully requests of the court to be granted leave for an extension of time to file a supporting affidavit in support of the *Amended Complaint* recently filed.
2. On Friday, November 19, 2021, Plaintiff was made aware of possibly new evidence which should be considered by the Court in determining the Plaintiff's *Motion for Leave to Amend Complaint*.
3. The discovery of the evidence continued into Saturday and Sunday, November 20 and 21, 2021.
4. Plaintiff originally requested an extension to file the supporting affidavit to serve

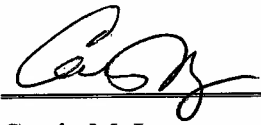
as a testimonial and to be sent to the Court via USPS for filing on November 19, 2021.

5. Plaintiff requests an extension of time to send the supporting affidavit by Monday, November 29, 2021, at the latest.
6. The information is likely needed in order to ascertain the sheer necessity of the pending action and to also demonstrate the urgency of resolution of the matter.
7. The newly attained information also can support the notion that should this pending action be dismissed, the plaintiff will be subject to such extremes of misconduct by government officials named in the caption and possibly even more individuals preventing the plaintiff from even being able to set up a lawful business of her choice to earn a living.
8. Such conduct from government officials clearly abusing their positions as public service servants must be checked and addressed since these actions are in the process of resulting in the worst of consequences for someone who is not guilty of the accusations currently being made behind her back and in the “court of public opinion”.
9. Furthermore, the plaintiff has found further inflammatory remarks made by one of the persons named in the Amended Complaint which constitute evidence of the intentions and actions of staff members of the DEC and USDA who are parties to this action.

WHEREFORE, based upon the aforementioned, Plaintiff prays to be granted an extension of time to file the supporting affidavit for her Motion for Leave to Amend Complaint. Plaintiff prays for all other relief the court deems just and fair. This is the last request for an extension from the plaintiff related to the *Motion for Leave to File an Amended Complaint*.

Date: November 22, 2021
Walworth, New York

BY:


Carrie M. Leo
Plaintiff pro se
3199 Walworth Road
Walworth, NY 14568
(315) 538-8316
carrieleo15@gmail.com

cc: JAMES P. KENNEDY, JR.
United States Attorney
KATHRYN L. SMITH
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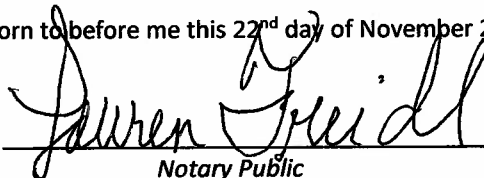
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MICHELE ROMANCE-CRAIN
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144 Exchange Blvd.
Rochester, New York 14614
(696) 327-3223
Michele.Crain@ag.ny.gov

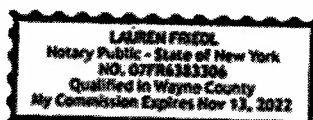
VERIFICATION

All statements herein are true and correct and have been made under the penalty of perjury.

Date: November 22, 2021

Sworn to before me this 22nd day of November 2021


Notary Public




Carrie M. Leo, *Plaintiff*
3199 Walworth Road
Walworth, NY 14568
ph: (315) 538-8316
carrieleo15@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing motion papers and notice were sent to the Court within three days of November 22, 2021 by means of USPS certified mail with return receipt. It was emailed to the following parties using each's individual email address as noted below on November 22, 2021.

JAMES P. KENNEDY JR.

United States Attorney

KATHRYN L. SMITH

Assistant United States Attorney

Western District of New York

U.S. Attorney's Office Rochester

100 State St., 5th Floor

Rochester, NY 14614

(585) 263-6760

Fax: (585) 263-6226

Kathryn.L.Smith@usdoj.gov

ATTORNEY FOR FEDERAL DEFENDANTS

LETICIA A. JAMES

New York State Attorney General's Office

MICHELE ROMANCE CRAIN

Assistant Attorney General

Department of Law

144 Exchange Blvd.

Rochester, NY 14614

(585) 327-3223

Michele.Crain@ag.ny.gov

ATTORNEY FOR NEW YORK STATE DEFENDANTS



Carrie M. Leo, Plaintiff

3199 Walworth Road

Walworth, NY 14568

ph: (315) 538-8316

carrieleo15@gmail.com

**Carrie Leo** <carrieleo15@gmail.com>

Motion papers

1 message

Carrie Leo <carrieleo15@gmail.com>

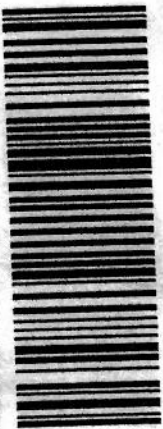
Mon, Nov 22, 2021 at 4:54 PM

To: "Crain, Michele" <Michele.Crain@ag.ny.gov>, Carrie Leo
<carrieleo15@gmail.com>, Kathryn.L.Smith@usdoj.gov

Please see attached.

 **MOTION, Extension of Time to File Supporting Affidavit 22-nov-2021.pdf**
3482K

CERTIFIED MAIL



7021 0350 0002 1877 3011

h Road
14568

U.S. POSTAGE PAID
FCM LG ENV
WALWORTH, NY
14568
NOV 22, 21
AMOUNT
\$8.16
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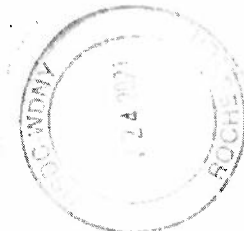
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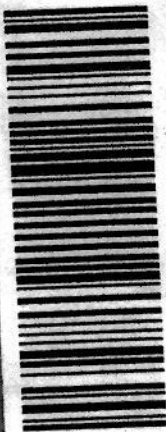
U.S. District Court-Western NY
2120 Kenneth B. Keating Fed. Bldg.
100 State St., 5th Floor
Rochester, NY 14614



FIRST CLASS

RETURN RECEIPT
REQUESTED

Carrie M. Leo
3199 Walworth Road
Walworth, NY 14568



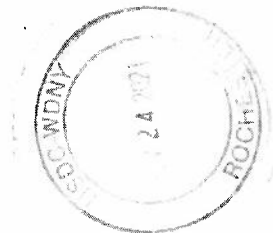
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